



46259

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :
:
Chae-Whan Lim et al. :
:
Serial No.: **10/767,061** :
:
Filed: **January 30, 2004** :
:
For: **DEVICE AND METHOD FOR** :
BINARIZING AN IMAGE :

RESPONSE TO NOTICE OF INCOMPLETE REPLY

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Incomplete Reply mailed on August 30, 2004 the Applicants hereby forward the comments below.

The Applicants hereby petition for a one month extension of time to file their reply to the Notice of Missing Parts dated June 14, 2004, today's date being September 14, 2004 and the requisite fee of \$110.00 is attached herewith. Please credit any overpayments, or charge any additional fees due, to Deposit Account No. 18-2220

The Applicants continue to contend that the requirement to correct all of the drawing figures for containing text not in the English language is incorrect.

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Specifically, the Applicants contend that 37 CFR §1.84(p)(2) and 37 CFR 1.52(d)(1) require that only those parts of the drawings that need to be read in conjunction with the English language specification need to be in English. That is not true in the case of Applicants' Figures 11A, 11B (sheet 11/27), 11C (sheet 12/27), 19A, 19B (sheet 20/27), 19C (sheet 21/27), 19I (sheet 23/27), 21A, 21B (sheet 25/27), 21C, 21E (sheet 26/27) and 21G (sheet 27/27). These drawings are merely examples of images that can be binarized in accordance with the present invention. The non-English text in these images does not have to be read to understand the invention. Consequently, these drawing figures need not be replaced with English-only drawing figures.

In consideration, however, of furthering the prosecution of this application, the Applicants have made changes to the specification regarding the affected drawing figures as set forth in the concurrently filed Preliminary Amendment. Specifically, the Applicants now refer to the content of the drawing figures as "examples of images" illustrating several results of the methods described in corresponding drawings figures. The Applicants contend that one skilled in the art would understand and be able to practice the methods according to the embodiments of the present invention regardless of whether the images shown in the affected drawings utilize English or non-English characters. The images in the affected drawings themselves are arbitrary.

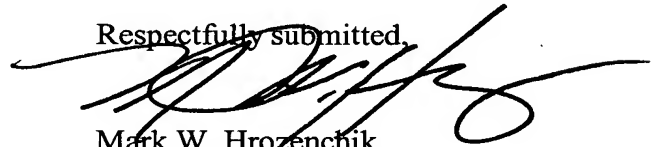
As further evidence that the U.S. Patent and Trademark Office acknowledges that certain types of drawing figures can contain non-English characters, attention is directed to the attached U.S. Patents, Nos. 5,150,424 and 5,940,532, and specifically to Fig. 4B of the '424 patent, and Fig. 4 of the '532 patent. Both of these drawing figures illustrate the use of non-English characters. The subject matter of the inventions is character recognition, and the drawings illustrate examples of non-English characters that can be recognized. As in the present invention, it is not

necessary to know what the characters mean to be able to understand how the invention works.

Furthermore, the Notice of Incomplete Reply refers to a "flowchart" that was originally not in English that has been marked up to include the English text. The Applicants wish to make clear that Figures 11A-C, 19A-C, 19I, 21A-C, 21E and 21G are not flowcharts.

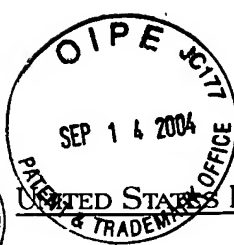
In consideration of the above, the Applicants request that all the drawings be accepted as submitted on August 4, 2004. Furthermore, should the drawings be accepted in their present condition and with the changes to the specification as described above, a request is made to refund the one-month extension of time fee submitted herewith to the Applicants. If, however, the discussion above is not persuasive, and the Office of Incoming Patent Examination continues to maintain its objections to the drawing figures, then the Applicants respectfully request that Figures 11A-C, 19A-D, 19H, 19I and 21A-G be treated as photographs under 37 C.F.R. 1.84 (b). See M.P.E.P. §608.02 Part VII. New sheets containing these drawing figures, reproduced on glossy photograph-type paper, are attached. Should the Office have any further questions, kindly contact the undersigned at the local telephone number indicated below.

Respectfully submitted,



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,061	01/30/2004	Chae-Whan Lim	46259

CONFIRMATION NO. 5489

001609
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FORMALITIES LETTER



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Date Mailed: 08/30/2004

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 08/04/2004 to the Notice to File Missing Parts (Notice) mailed 06/14/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 11A, 11B, 11C, 19A-19C, 19I, 21A, 21B, 21C, 21E, 21G.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
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A copy of this notice MUST be returned with the reply.



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PART 2 - COPY TO BE RETURNED WITH RESPONSE